

SENATE JOURNAL

SEVENTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIRST DAY

(Tuesday, January 8, 1991)

In accordance with the Constitution and Laws of the State of Texas, the Senate of the Seventy-second Legislature met in the Senate Chambers of the State Capitol on Tuesday, the eighth day of January, 1991, at 12:00 noon.

The Honorable William P. Hobby, Lieutenant Governor and President of the Senate, called the Senate to order.

The Reverend Chris Steele, Chaplain of St. Luke's Hospital and Texas Heart Institute of Houston, Texas, offered the invocation as follows:

Grace to you and peace. Hear the word of God as it is written in the book of the prophet Isaiah:

Arise, shine: For your light has come,
and the glory of the Lord has risen upon you.
For, behold, darkness shall cover the earth,
and thick darkness the peoples:
But the Lord will arise upon you,
and His glory will be seen upon you.
Nations shall come to Your light,
and kings to the brightness of Your rising (60:1-3)
And you shall know that I, the Lord, am your Savior (16b)
I will make your overseers peace
And your taskmasters righteousness (17b).
They shall build up the ancient ruins,
They shall raise up the former devastations:
They shall repair the ruined cities,
The devastations of many generations (61:4).

Let us pray.

O God, our times are in Your hands, and these are difficult times. The human needs in our State and nation are matched only by the demands made upon all those who, in seeking to serve others, seek to serve You.

Grant to all who have gathered here—our Senators, their families, friends and staff—the strength to meet the tasks ahead with clarity of purpose, purity of vision and integrity of motive.

We ask Your blessing upon Lieutenant Governor-elect Bob Bullock; grant him the courage to pursue and the grace to accomplish the responsibilities of his office.

Above all, we give You heartfelt thanks for our Lieutenant Governor, William Hobby; for his years of dedication to charity, justice and the well-being of Your people. May he find happiness and fulfillment in his new life; and in his

heart—indeed, in all our hearts—may Your peace, which passes understanding, abide now and forever. Amen.

INTERPRETERS FOR THE DEAF

The proceedings for the Senate were provided today by Fran Harrington-Borre and Toni Dunne through the Texas Commission for the Deaf.

ROLL CALL OF PRESENT SENATORS

The President directed the Secretary of the Senate to call the roll of the present Members of the Senate.

The roll was called and the following Senators answered to their names:

The Honorable Gonzalo Barrientos, representing the Fourteenth Senatorial District composed of: Hays and Travis counties.

The Honorable Teel Bivins, representing the Thirty-first Senatorial District composed of: Armstrong, Bailey, Briscoe, Carson, Castro, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher and Wheeler counties.

The Honorable J. E. "Buster" Brown, representing the Seventeenth Senatorial District composed of: Brazoria (part), Fort Bend (part) and Harris (part) counties.

The Honorable Steve Carriker, representing the Thirtieth Senatorial District composed of: Archer, Baylor, Callahan, Childress, Clay, Cooke, Cottle, Denton (part), Dickens, Fisher, Floyd, Foard, Grayson, Hardeman, Haskell, Jack, Jones, Kent, King, Knox, Mitchell, Montague, Motley, Scurry, Shackelford, Stonewall, Throckmorton, Wichita, Wilbarger and Young counties.

The Honorable Temple Dickson, representing the Twenty-fourth Senatorial District composed of: Bell, Brown, Burnet, Coleman, Concho, Coryell, Lampasas, Llano, McCulloch, Mills, Nolan, Runnels, San Saba and Taylor counties.

The Honorable Bob Glasgow, representing the Twenty-second Senatorial District composed of: Bosque, Comanche, Denton (part), Eastland, Erath, Hamilton, Hood, Johnson, Palo Pinto, Parker, Somervell, Stephens, Tarrant (part) and Wise counties.

The Honorable Bill Haley, representing the Third Senatorial District composed of: Anderson, Angelina, Cherokee, Hardin, Jasper, Montgomery (part), Nacogdoches, Newton, Polk, Rusk, Sabine, San Augustine, San Jacinto, Shelby and Tyler counties.

The Honorable O. H. "Ike" Harris of Dallas, representing the Eighth Senatorial District composed of: Collin (part) and Dallas (part) counties.

The Honorable Cynthia Taylor Krier, representing the Twenty-sixth Senatorial District composed of: Bexar (part) County.

The Honorable John T. Montford, representing the Twenty-eighth Senatorial District composed of: Andrews, Borden, Cochran, Crosby, Dawson, Ector, Gaines, Garza, Howard, Lubbock, Lynn, Martin, Terry and Yoakum counties.

The Honorable Carl A. Parker, representing the Fourth Senatorial District composed of: Chambers, Galveston (part), Harris (part), Jefferson, Liberty, Montgomery (part) and Orange counties.

The Honorable Bill Ratliff, representing the First Senatorial District composed of: Bowie, Camp, Cass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Titus and Upshur counties.

The Honorable Carlos F. Truan, representing the Twentieth Senatorial District composed of: Brooks, Hidalgo (part), Jim Wells, Kenedy, Kleberg, Nueces, San Patricio and Willacy counties.

ROLL CALL OF SENATORS-ELECT

The President directed the Secretary of the Senate to call the roll of the Senators-elect as certified by the Secretary of State.

The roll was called and the following Senators-elect answered to their names:

The Honorable Ken Armbrister, representing the Eighteenth Senatorial District composed of: Aransas, Bastrop, Caldwell, Calhoun, De Witt, Fayette, Goliad, Gonzales, Jackson, Karnes, Lavaca, Lee, Matagorda, Refugio, Victoria, Brazoria (part), Fort Bend (part) and Williamson (part) counties.

The Honorable Chet Brooks, representing the Eleventh Senatorial District composed of: Galveston (part) and Harris (part) counties.

The Honorable Rodney Ellis, representing the Thirteenth Senatorial District composed of: Fort Bend (part) and Harris (part) counties.

The Honorable Gene Green, representing the Sixth Senatorial District composed of: Harris (part) County.

The Honorable Chris Harris of Tarrant, representing the Tenth Senatorial District composed of: Dallas (part), Denton (part) and Tarrant (part) counties.

The Honorable Don Henderson, representing the Seventh Senatorial District composed of: Harris (part) County.

The Honorable Eddie Bernice Johnson, representing the Twenty-third Senatorial District composed of: Dallas (part) and Tarrant (part) counties.

The Honorable John N. Leedom, representing the Sixteenth Senatorial District composed of: Dallas (part) County.

The Honorable Eddie Lucio, representing the Twenty-seventh Senatorial District composed of: Cameron and Hidalgo (part) counties.

The Honorable Mike Moncrief, representing the Twelfth Senatorial District composed of: Tarrant (part) County.

The Honorable Peggy Rosson, representing the Twenty-ninth Senatorial District composed of: El Paso (part) County.

The Honorable Bill Sims, representing the Twenty-fifth Senatorial District composed of: Bandera, Blanco, Brewster, Coke, Crane, Crockett, Culberson, Edwards, Gillespie, Glasscock, Hudspeth, Irion, Jeff Davis, Kendall, Kerr, Kimble, Loving, Mason, Medina, Menard, Midland, Pecos, Presidio, Reagan, Real, Reeves, Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, Val Verde, Ward, Winkler, Bexar (part), Comal (part) and El Paso (part) counties.

The Honorable Frank Tejeda, representing the Nineteenth Senatorial District composed of: Bexar (part) County.

The Honorable Jim Turner, representing the Fifth Senatorial District composed of: Austin, Brazos, Burleson, Colorado, Grimes, Houston, Leon, Madison, Milam, Robertson, Trinity, Walker, Waller, Washington, Wharton, Harris (part), Montgomery (part) and Williamson (part) counties.

The Honorable John Whitmire, representing the Fifteenth Senatorial District composed of: Harris (part) County.

The Honorable Judith Zaffirini, representing the Twenty-first Senatorial District composed of: Atascosa, Bee, Dimmit, Duval, Frio, Guadalupe, Jim Hogg, Kinney, La Salle, Live Oak, McMullen, Maverick, Starr, Uvalde, Webb, Wilson, Zapata, Zavala, Bexar (part) and Comal (part) counties.

I, GEORGE S. BAYOUD, JR., Secretary of State of the State of Texas, DO HEREBY CERTIFY that according to the records of this office the attached is a true and correct list, in alphabetical order, of the members of the Senate of the 72nd Legislature, 1991, whose election on November 6, 1990, has been duly and legally certified to this office.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 7th day of January, 1991.

/s/GEORGE S. BAYOUD, JR.
SECRETARY OF STATE

A quorum was announced present.

LEAVE OF ABSENCE

Senator Ted B. Lyon, Jr., representing the Second Senatorial District composed of: Collin (part), Dallas (part), Fannin, Hunt, Kaufman, Rains, Rockwall, Smith, Van Zandt and Wood counties, was granted leave of absence for today on account of important business on motion of Senator Brooks.

OATH OF OFFICE ADMINISTERED TO SENATORS-ELECT

The President requested the Senators-elect to proceed to the Bar of the Senate.

The President administered the Constitutional Oath of Office to the Senators-elect.

GUEST PRESENTED

The President recognized and introduced to the Senate former State Treasurer Ann Richards (Governor-elect).

ADDRESS BY THE HONORABLE ANN RICHARDS FORMER STATE TREASURER AND GOVERNOR-ELECT OF THE STATE OF TEXAS

The President ordered the Senate Journal Clerk to have the address reduced to writing as follows:

Thank you, Lieutenant Governor Hobby. Welcome to all of the new members of the Senate, and all of those of you who have been here before. I look forward to working with you again.

It is an exciting time for me, but it is also an exciting time for Texas. There is a new wind that blows—one which I think is going to bring about a great deal of change and long-needed change. It is exciting that a lot of that change is going to take place with the presiding officer of this body, one of the most able public servants that I have ever had the opportunity to serve with, and that is Bob Bullock.

It is with some sadness that I see Bill Hobby seek semi-retirement. He has been a mentor to me. I can think of no person in political life who has been more significant in my personal and political growth than Bill Hobby. He was always there with advice but he never brought it unless you asked for it. He was always there with help but he never rushed in to save you—he allowed you to make your own mistakes. He was very definitely his own person. I'll bet I have been asked a million

times by reporters and other people, "what is the real Bill Hobby like?" I always respond—and I know they are disappointed—that what you see is what you get. Bill Hobby has been a man of strength, one who didn't talk too much, but somehow you were always able to read exactly what he was going to do, because it was going to be whatever was of the highest ethical order and in the best interests of the citizens of this State.

To all of you in the Senate and to your families—we had a little gathering last night with the Senate Ladies—and I want to reiterate, for those of you who were not there, that I have always believed that government works best when it works in a cooperative fashion. This governor, who greatly respects what it took for all of you to get where you are, has a great deal of reverence for this body. We are going to disagree like ladies and gentlemen, and we are going to move the cause of the people of Texas forward, and we are going to do it together, and we are going to do it in cooperation. Thank you very much.

SENATE RESOLUTION 3

Senator Glasgow offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, That the Rules of the Senate of the 71st Legislature, as amended, are adopted as the Temporary Rules of the Senate of the 72nd Legislature with the following modifications:

1. Amend Rule 7.05 to read as follows:

INTRODUCTION AND FIRST READING OF BILLS

Rule 7.05. (a) Senate bills shall be considered introduced when first read in the presence of the Senate.

(b) Except as otherwise provided in this rule, Senate bills filed for introduction, and House bills received by the Senate, [A bill filed with the Secretary of the Senate] shall be read on first reading at the appropriate point in the morning call as soon as reasonably practicable after filing or receipt [during the next legislative day after the bill has been filed].

(c) During the last 30 days of a regular session, and during a called session, bills shall be read not later than the next legislative day after filing or receipt.

[(b) The first reading of a bill, if a Senate bill, shall be the reading thereof when first introduced; if a House bill, the reading thereof when submitted to the Senate:]
(Former Rules 70 and 86)

2. Amend Rule 7.06 to read as follows:

REFERRAL OF BILLS

Rule 7.06. (a) The President shall refer each bill [All House and Senate bills will be referred] to a proper committee or standing subcommittee and shall cause such referral to be announced when the bill is first read [not later than the next legislative day after introduction].

(b) No action shall be taken on a bill accepting, rejecting, or amending it until the bill has been reported on by a committee. (Former Rules 70 and 86)

3. Amend Rule 11.01 to read as follows:

APPOINTMENT OF COMMITTEES

Rule 11.01. All committees and standing subcommittees shall be appointed by the President of the Senate, unless otherwise directed by the Senate. (Former Rule 93)

4. Amend Rule 11.03 to read as follows:

OTHER SPECIAL COMMITTEES AND STANDING SUBCOMMITTEES

Rule 11.03. The President may appoint additional special committees and may appoint standing subcommittees within committees including subcommittees of the Committee of the Whole Senate [with the consent of two-thirds of the

members of the Senate]. ~~The number of members of these committees and subcommittees shall be determined by the President.~~ (Former Rule 94(b))

5. Amend Rule 13.05 to read as follows:

DEBATE AND AMENDMENTS

Rule 13.05. Upon a matter [bill] being referred [committed] to a Committee of the Whole Senate or a subcommittee of a Committee of the Whole Senate, the matter [bill] shall be read and debated by clauses, leaving the preamble, if any, to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page or line, shall be duly entered by the Secretary of the Senate or the clerk of the subcommittee on a separate sheet of paper as the same shall be agreed to by the committee and so reported to the Senate. After the report, the bill shall again be subject to be debated and amended or committed before a question to engross it be taken. (Former Rule 101)

The resolution was read and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon.

SENATE RESOLUTION 1 (Caucus Report)

Senator Brooks offered the following resolution:

Honorable William P. Hobby
Lieutenant Governor
Senate of Texas
Austin, Texas

Sir:

At a caucus held in the office of the Senate attended by 29 Members of the Senate, the following recommendations were made, to wit:

BE IT RESOLVED by the Senate, That:

The following officers were elected to serve for the 72nd Legislature at the will of the Senate:

Secretary of the Senate - Betty King
Calendar Clerk - Kay Hughes
Doorkeeper - James Morris
Enrolling Clerk - Patsy Spaw
Journal Clerk - Dianne Arrington
Sergeant-at-Arms - Carleton Turner

All officers and employees appointed by this caucus shall hold their office of employment for the duration of the 72nd Legislature.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name secretarial staff and assistants at salaries designated by the Lieutenant Governor and the Administration Committee respectively. The Parliamentarian, Robert Johnson, is to be named by the Lieutenant Governor.

It is further recommended that the Administration Committee appoint a sufficient number of custodians, messengers, elevator operators, porters, and other employees as may be necessary. The Lieutenant Governor is authorized to designate any member of the Senate or Senate staff to attend official meetings of national governmental organizations during the 72nd Legislature while in session. Actual and necessary expenses are hereby authorized as reimbursement for such trips. The Lieutenant Governor shall have the authority to designate a member of the Senate to represent the Senate at ceremonies and ceremonial functions. Necessary expenses for performance of these duties and for necessary staff are hereby authorized to be paid pursuant to a budget approved by the Administration Committee.

It is further recommended that each Senator shall be permitted a maximum payroll of \$18,000.00 per month for secretarial and other office staff and for intrastate travel expenses for staff employees. Any unexpended portion of this amount may be carried forward from month to month until the end of the fiscal year. In order to accrue vacation leave, compensatory/overtime leave, or sick leave, employees of members must file monthly time sheets with the Senate Personnel Office by the 10th of the month following the month in which work was performed. Employees of members and committees must use compensatory/overtime accrued in a given month by the end of the same month of the following year. Compensatory/overtime accrued prior to January 1, 1991, will not be carried forward after January 1, 1992. No compensatory/overtime will be paid at either the end of the fiscal year or at an employee's termination.

The Lieutenant Governor, Senators, and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that the Lieutenant Governor, each Senator, and the Secretary of the Senate be permitted to subscribe for newspapers as necessary to be paid out of the contingent fund and be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that not to exceed 700 journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 journals shall be furnished the members of the House.

It is further recommended that the Legislative Reference Library be furnished 60 copies of the daily journal.

It is further recommended that all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the 72nd Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for the payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, Members of the Senate, employees of the Senate committees, and employees of the Senate, except as provided in Section 301.030, Government Code, upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies, and expenses of the Senate, including travel expenses for Members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate.

It is further recommended that no employee of the Senate shall, during the time employed by the Senate, furnish to any person, firm, or corporation any information other than general information furnished the public pertaining to the Senate, and the employee shall not without permission receive any compensation from any person, firm, or corporation during employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, Members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at 8:00 a.m. and 1:00 p.m. each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the chairman of each standing committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation

paid similar positions as herein fixed, and to discharge the duties of said standing committee, subject to the approval of the Administration Committee. All employees of standing committees of the 71st Legislature shall be retained at their existing salary through January 31, 1991. Committee salary budgets of the 71st Legislature will continue until the close of business on January 31, 1991.

It is further recommended that no employee of the Senate, except one whose official duties require the employee to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, after the performance of which the employee shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have privileges of the floor during the session of the Senate shall be permitted on the Senate floor for a period of 30 minutes prior to the time the Senate convenes and 30 minutes after the Senate adjourns. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such 30-minute periods.

Respectfully submitted,

BROOKS

Chairman of the Caucus

O. H. HARRIS

Secretary of the Caucus

The resolution was read and was adopted by a viva voce vote.

OATH OF OFFICE ADMINISTERED TO OFFICERS

The President directed the officers of the Senate named in the Caucus Report to proceed to the Bar of the Senate.

The President administered the Constitutional Oath of Office to the officers.

SENATE CONCURRENT RESOLUTION 2

Senator Brooks offered the following resolution:

BE IT RESOLVED by the 72nd Legislature, Regular Session, That a joint committee, composed of five members of the senate appointed by the lieutenant governor and five members of the house appointed by the speaker of the house, arrange for the canvass of the votes cast for governor and lieutenant governor at the general election held on the first Tuesday in November 1990, and that a joint session of the senate and house be held in the hall of the house of representatives at 2 p.m., Monday, January 14, 1991, for the purpose of counting the votes, receiving the report, and hearing the declaration of the results of the canvass; and, be it further

RESOLVED, That the senate and house sit in joint session at 12 noon on Tuesday, January 15, 1991, for the inauguration of the governor-elect and lieutenant governor-elect of Texas as determined by the canvass of the votes; and, be it further

RESOLVED, That a joint committee, composed of six members of the senate appointed by the lieutenant governor and five members of the house appointed by the speaker of the house, make arrangements for the joint session and oath-taking ceremony on January 15, 1991; and, be it further

RESOLVED, That the State Purchasing and General Services Commission be, and is hereby, instructed to close all entrances to the Capitol on Tuesday, January 15, 1991, except for those vehicles approved by the inaugural committee as necessary for use in connection with the ceremony and the program following.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

SENATE CONCURRENT RESOLUTION 3

Senator Brooks offered the following resolution:

WHEREAS, Article III, Section 17, of the Texas Constitution provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 72nd Legislature, That each house grant the other permission to adjourn for more than three days during the period beginning on January 9, 1991, and ending on January 14, 1991.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

COMMITTEES APPOINTED

In accordance with the provisions of S.C.R. 2, the President announced the appointment of the following as a Committee to Canvass the Votes: Senators Tejeda, Chairman; Armbrister, Krier, Lyon and Whitmire, and the following as the Inaugural Committee: Senators Barrientos, Chairman; Brooks, Johnson, Montford and Zaffirini.

ELECTION OF PRESIDENT PRO TEMPORE FOR REGULAR SESSION OF THE SEVENTY-SECOND LEGISLATURE

The President announced the time had arrived for the election of the President Pro Tempore for the Regular Session of the 72nd Legislature.

Senator Brooks placed in nomination the name of Senator Bob Glasgow of Stephenville as the President Pro Tempore of the Senate, Regular Session, 72nd Legislature.

Senators Parker, Truan, Montford, Leedom, Whitmire, Johnson, Barrientos, Carriker, Bivins, Ratliff, Krier, Green, Sims and Henderson seconded the nomination.

The President declared that the Honorable Bob Glasgow had been duly elected President Pro Tempore of the 72nd Legislature by a voice vote and appointed Senators Brooks, Krier, Montford, Parker and Truan to escort Senator Glasgow and his wife to the President's rostrum.

The President administered the Constitutional Oath of Office to Senator Glasgow as President Pro Tempore of the 72nd Legislature.

Senator Glasgow expressed his appreciation to the Members of the Senate for his election as President Pro Tempore.

Senator Glasgow presented Mrs. Diana Hobby with a bouquet of roses. He introduced Lieutenant Governor-elect Bob Bullock's wife, Jan, and presented her with a bouquet of roses and then introduced his wife Deanna to the Senate.

GUEST PRESENTED

The President recognized and introduced to the Senate the former Governor of Texas Preston Smith.

The Senate welcomed former Governor Preston Smith.

SENATE RESOLUTION 4

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas proudly joins New York Life Insurance Company in recognizing the Honorable Carlos F. Truan for his 30 years of dedicated service as an agent for his Company and his clients and the insurance industry and will be honored with a reception and dinner this Friday, January 11, 1991, in Corpus Christi at Kings Crossing Country Club; and

WHEREAS, Senator Truan currently serves as Chairman Emeritus of the Corpus Christi General Office of the New York Life Insurance Company which covers South Texas; he is a Life Member of the New York Life Councils, a 1986 charter member of the Texas Leaders Round Table Grand Council, and a member of the Corpus Christi Association of Life Underwriters; and

WHEREAS, A resident of Corpus Christi, Senator Truan was born and reared in Kingsville, Texas, graduated from Texas A&I University, and was elected to the Texas House of Representatives in 1968; and

WHEREAS, During his four terms of effective service in the House and as the author of the Texas Bilingual Education Act and the Texas Adult Education Act, Senator Truan became known as the "Father of Bilingual and Adult Education in Texas"; and

WHEREAS, Elected to the Texas Senate in 1976, Senator Truan is now ranked third in seniority; with 22 years of legislative experience, he was elected in the 1985-1986 interim period to four unprecedented terms as President Pro Tem of the Senate; and

WHEREAS, For Senator Truan's many years of unselfish service in the legislature and as a tribute to his statesmanship, he was honored as Governor-For-A-Day on March 8, 1986; and

WHEREAS, Talented and versatile, Senator Truan has served on three Senate committees, Education, Finance, and Health and Human Services, and has been Chairman of the Senate Hispanic Caucus, and authored legislation making Corpus Christi State University (CCSU) a four-year university and merging CCSU and Texas A&I University with The Texas A&M University System; and

WHEREAS, Senator Truan's legislation was also responsible for the formation of the Breakfast Program in public schools, the Office of Minority Business Enterprises, and the Texas Hazardous Materials Safety Council; and

WHEREAS, A strong advocate for protecting our environment, he was the recipient of the Lone Star Chapter of the Sierra Club's Environmental Defense Award in 1989; and

WHEREAS, The 71st Legislature was one of Senator Truan's most productive sessions and included the passage of bills to reform the state's mental health and mental retardation system, the regulation of uranium mining, and rules regarding the transportation of hazardous materials; and he advocates protection and conservation of our water resources; he organized and has sponsored two South Texas Water Conferences; and

WHEREAS, Senator Truan's numerous and complex legislative accomplishments are evidence of his clear-sightedness and his strong commitment to enriching the State of Texas; he was presented the Texas Outstanding Public Service Award of 1989 for "strong and effective leadership on consumer issues"; and

WHEREAS, He has demonstrated unparalleled energy and perseverance as well as loyalty to his Senate District 20 and to the cause of equal opportunity for all people; and

WHEREAS, A dedicated family man, he has been married to Elvira Munguia Truan for over 27 years and has four children: Carlos, Jr., a graduate of Texas A&M University, Veronica, who graduated from Southwest Texas State University, Rene,

a senior at Southwest Texas State University, and Maria, a junior at Texas A&M University; and

WHEREAS, As an exemplary State Senator, an outstanding leader in his community, and a keen and industrious representative of New York Life Insurance Company, Senator Truan has brought honor and pride to the insurance industry; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby commend Senator Carlos F. Truan for his many years of devoted service to New York Life Insurance Company and for his innumerable contributions to the City of Corpus Christi and the State of Texas; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Senator Truan as an expression of high regard from the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

At the request of the President, Senator Truan escorted his wife, Elvira, to the rostrum.

The President presented Senator Truan with an enrolled copy of S.R. 4.

MOTION IN WRITING

Senator Brooks submitted the following Motion in Writing:

Mr. President:

I move that the President be authorized to appoint a committee of five (5) Members to notify the Governor that the Senate is organized and ready for business.

BROOKS

The Motion in Writing was read and was adopted viva voce vote.

Accordingly, the President announced the appointment of the following as a Committee to Notify the Governor: Senators Barrientos, Ellis, Leedom, Rosson and Truan.

MOTION IN WRITING

Senator Brooks submitted the following Motion in Writing:

Mr President:

I move that the President be authorized to appoint a committee of five (5) Members to notify the House that the Senate is organized and ready for business.

BROOKS

The Motion in Writing was read and was adopted by a viva voce vote.

Accordingly, the President announced the appointment of the following as a Committee to Notify the House: Senators Bivins, Harris of Tarrant, Lucio, Moncrief and Turner.

SENATE RESOLUTION 2

Senator Brooks offered the following resolution:

WHEREAS, The debt of gratitude Texans owe their founding fathers can never be repaid or acknowledged too often; and

WHEREAS, The intriguing story of the Senate of the State of Texas is told for the first time in a five-volume work, the first of which has just been published by Texas A&M University Press; and

WHEREAS, The captivating story of the creation of the Republic of Texas and its development as a state has been chronicled most eloquently in The Texas Senate: Volume I; and

WHEREAS, Begun in late 1982 when a request by newly elected Senator Chet Edwards for a history of the Senate revealed no such documentation, the project received the support of Secretary of the Senate Betty King and the backing of Lieutenant Governor William P. Hobby; and

WHEREAS, Lieutenant Governor Hobby, well known for his love of and interest in Texas history, provided the inspiration for the task of recording the events in the newly developing land; and

WHEREAS, The work represents the combined efforts of the staff of the Senate Engrossing and Enrolling Office under the careful guidance of Enrolling Clerk Patsy McDonald Spaw; and

WHEREAS, Between legislative sessions, the office employees used the invaluable resources of the Texas State Library and Archives Commission and The University of Texas Eugene C. Barker Texas History Center to research original newspapers, legislative journals, books on Texana, and other primary historical sources; and

WHEREAS, Originally conceived as a lengthy pamphlet, the project mushroomed as the research unveiled fascinating glimpses of the individuals who served as senators in Texas' colorful past and the quantity of material gathered lent itself to a more comprehensive account; and

WHEREAS, The indomitable spirit and unquenchable courage of these early Texans shine through the pages, giving us a renewed appreciation of the individuals who shaped the destiny of our beloved state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby extend congratulations to Lieutenant Governor William P. Hobby, Secretary Betty King, Enrolling Clerk Patsy McDonald Spaw and her staff, and Texas A&M University Press for presenting to the citizens of Texas an informative account of the state's legislative body, the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUEST PRESENTED

Senator Brooks recognized and introduced Dr. William H. Mobley, President of Texas A&M University.

Dr. Mobley addressed the Senate and presented President Hobby with a copy of Volume I of The Texas Senate.

GUEST PRESENTED

The President acknowledged former Comptroller of Public Accounts and Lieutenant Governor-elect Bob Bullock, who was seated at the Rostrum, and presented him with a copy of The Texas Senate.

(Senator Brooks in Chair)

Senator Brooks recognized and instructed Senator Montford to proceed to the Rostrum.

SENATOR MONTFORD'S ADDRESS TO SENATE

Mr. President, Members of the Senate and distinguished guests, it is my privilege to call for the unveiling of this great commemorative on behalf of the recognition of our departing Lieutenant Governor of Texas. Governor Hobby, if you'll notice over here to my right and our guests' left, there is a ghost figure. Underneath, that none of us has seen, lies a bronze and a carefully done wood

sculpture, and I suppose a hundred years from now when people wander through this chamber, if they look at this bronze they might get some inkling of your personality, but I dare say they'll get no idea about the intensity, the integrity and the splendid dedication you have given, along with Diana, to the great State of Texas. Your legacy is here in this chamber, in this Statehouse, and we hope this bronze will be a lasting reminder, not just to this body, but this State and this nation, of what, in the final analysis, public service should be all about. This sculpture was crafted by Willy Wang as sculptor, and James Marcoux as wood craftsman. Prior to the unveiling of this commemorative, I would respectfully ask our Lieutenant Governor-elect, the Honorable Bob Bullock, to come forward.

**LIEUTENANT GOVERNOR-ELECT,
THE HONORABLE BOB BULLOCK'S ADDRESS TO SENATE**

Thank you very much, ladies and gentlemen. This is a very special occasion for me, to participate in this function for Governor Bill Hobby. Rarely, if ever, in the history of our State has a person been so well-equipped or so ably administered the office as Bill Hobby has done. He has inspired his fellow Texans. He has taught us that common goals and common good, tempered with compassion, is the future of Texas. It is truly a pleasure for me to be here today. This bust that is about to be unveiled will always be in a prominent position in this chamber, just as Governor Hobby plays a very special part in the hearts of all Texans, and in the history of our State and the future. Thank you very much.

Pursuant to the provisions of S.R. 557 of the 71st Legislature, Regular Session, Senator Montford requested Lieutenant Governor and Mrs. Hobby and Lieutenant Governor-elect Bullock to proceed to the bust.

Senator Montford and Lieutenant Governor-elect Bob Bullock unveiled the bust and presented it to the Senate.

GOVERNOR NOTIFIED

The Committee to Notify the Governor that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Barrientos for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

HOUSE NOTIFIED

The Committee to Notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Bivins for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

GUEST PRESENTED

Senator Green was recognized and introduced the Consul General of Israel, Mordekhai Artzieli.

Consul General Artzieli was welcomed by the Senate.

CAPITOL PHYSICIAN

Senator Harris of Dallas was recognized and presented Dr. Bill Ross of Carrollton.

Dr. Ross, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

GUESTS PRESENTED

Senator Johnson was recognized and introduced the following distinguished guests: Supreme Court Justices Oscar Mauzy and Jack Hightower and Former Senator Kent Caperton.

The Senate extended a warm welcome to these guests.

CONGRATULATORY RESOLUTIONS

S.R. 5 - By Brown: Commending Bryan R. Adams of Lake Jackson for his devotion to the teaching profession and honoring him with a Life Membership in the Brazosport Nature Center and Planetarium.

S.R. 6 - By Ratliff: Extending congratulations to William Bennett Hairston on achieving the rank of Eagle Scout.

S.R. 7 - By Ratliff: Extending congratulations to Allen Charles Lutes on achieving the rank of Eagle Scout.

S.R. 8 - By Ratliff: Extending congratulations to Jerry Grainger of Daingerfield for his superb accomplishments in the field of special education.

RECESS

On motion of Senator Harris of Dallas, the Senate at 1:15 p.m. took recess until 10:00 a.m. tomorrow.

FIRST DAY

(Continued)

(Wednesday, January 9, 1991)

AFTER RECESS

The Senate met at 10:00 a.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
January 9, 1991

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 2, Providing for a joint session to canvass the votes for Governor and Lieutenant Governor, and for a joint session for the inaugural ceremony.

S.C.R. 3, Granting the House and Senate permission to adjourn more than three days during the period beginning on January 9, 1991, and ending on January 14, 1991.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives